

**REMARKS**

Claims 1-3, 6-10, 13, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Tani (5,623,464). Claims 4, 5, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tani (5,623,464).

1. Rejection of claims 1-3, 6-10, 13, and 14 under 35 U.S.C. 102(b):

Claims 1-3, 6-10, 13, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Tani (5,623,464) for reasons of record, as recited on pages 2-3 of the above-indicated Office action.

**Response:**

The applicants point out that Tani, being primarily directed at controlling actuator movement, does not teach "exerting a brake force on the sled", a reference to Fig. 7E at column 10, lines 51-54, clearly stating: "Timing charts of FIGS. 7A to 7E relate to the deceleration control using the measurement acceleration  $\alpha$  of the lens actuator measured by the acceleration measuring section 100". Therefore, the applicants assert that because the teachings of Tani are applicable to control of the optical pick-up head actuator of an optical disc drive, and not to the sled, they do not anticipate the original or the currently amended claims of the present invention.

Further, Claims 1 and 8 are currently amended to distinguish from the Tani reference. The limitations of original claims 7 and 14 have been added to claims 1 and 8, respectively, and claims 6, 7, 13, and 14 have been subsequently cancelled. The currently amended claims 1 and 8 now each contain limitations stating that for a brake force applied to the sled, "the duration of exerting the brake force is constant, and the amount of the brake force is determined by the sliding speed of the sled relative to the optical storage medium." That is, instead of keeping the brake force constant and varying the duration of exerting the brake force, the duration is kept constant and the amount of the brake force is varied according to the sliding speed of the sled.

The teachings of Tani, aside from being primarily directed at controlling actuator movement, advocate using a constant brake force for a period of time calculated based on the speed of the actuator, in a similar way that the method discussed in the Applicant's Prior Art applies a constant brake force to the sled. However, Tani does not teach or suggest using a variable brake force for a constant time duration, the magnitude of the brake force being based on the sliding speed of the sled. Therefore, the Applicants assert that the amended claims 1 and 8 of the present invention cannot be realized by combining the teachings of Tani and the Applicant's Prior Art. Therefore, the amended claims 1 and 8 should be allowed. Reconsideration of the amended claims 1 and 8 is hereby requested. Moreover, claims 2, 3, 9 and 10 are dependent on the amended claims 1 and 8. They should be allowable if the amended claims 1 and 8 are allowed. Reconsideration of the claims 2, 3, 9 and 10 is hereby requested.

2. Rejection of claims 4, 5, 11, and 12 under 35 U.S.C. 103(a):

Claims 4, 5, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tani (5,623,464) for reasons of record, as recited on page 4 of the above-indicated Office action.

**Response:**

Further to the above discussion, the Applicant's point out that Tani's method of setting a number of tracks before the target position/track is only practical if the number of tracks corresponds to the stopping distance dictated by the fixed braking force and speed of the actuator. The method of the present invention can, within the bounds of the performance of the particular optical disc drive, adjust the braking force applied according to the speed of the sled and the number of tracks prior to the target position/track selected as an intermediate point, a function that cannot be performed by either Tani's invention or the method discussed in the Applicant's Prior Art. Therefore the Applicants assert that, in addition to being dependent upon claims 1 and 8 (and therefore should be

allowed if claims 1 and 8 are allowed), claims 4, 5, 11, and 12 recite limitations that cannot be realized by the combination stated above. Reconsideration of claims 4, 5, 11, and 12 is politely requested.

5 Respectfully submitted,



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